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**FACSIMILE TRANSMITTAL SHEET &  
CERTIFICATE OF TRANSMISSION UNDER 37 CFR §1.8****OFFICIAL**

**TO:** **Commissioner of Patents**  
**United States Patent and Trademark Office**  
**Attn: Examiner William M. Moore**  
Fax No. (703) 308-4242  
Phone No. (703) 308-0583

*I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on December 15, 2003, to the above-identified facsimile number.*

Laura L. Frieko (Signature)

**FROM:** **Laura L. Frieko**  
Fax No. (513) 626-1355  
Phone No. (513) 626-2721

Listed below are the item(s) being submitted with this Certificate of Transmission:

1) copy of Response to Non-Final rejection sent to the PTO on 8/20/2003:	Number of Pages Including this Page: 13
Auto-Reply Facsimile Transmission	Inventor(s): Rubingh et al.
Applicants' Facsimile confirmation	S.N.: 09/546,984
Fax Coversheet	Filed: 8/25/2000
Transmittal for Response	Conf. No.: 3865
Response to Non-Final Rejection (8 pages)	Case: 7070

**Comments:****Examiner Moore:**

In response to a phone message that you left for Ms. Laura Frieko regarding the above application and stating that you had not received a response to the non-final rejection mailed 5/20/2003, attached is a copy of the response faxed to you on 8/20/2003, along with a copy of our facsimile confirmation and the auto-reply facsimile transmission from the USPTO.

IN THE UNITED STATES PATENT & TRADEMARK OFFICE  
RESPONSE/AMENDMENT

Case Docket No. 7070

Mail Stop Non-Fee  
 Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a REPSONSE/ELECTION OF SPECIES for the patent application:

Inventor(s): D. N. Rubingh et al. Confirmation No. 3865

Serial No.: 09/646,984 Group Art Unit: 1652

Date Filed: 3/25/1999 Examiner: W. W. Moore

Title: Serine Protease Variants Having Amino Acid Deletions and Substitutions

1.  No additional fee is known to be required.
2.  The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	OTHER THAN A SMALL ENTITY	
TOTAL	*	MINUS	**	=	x \$18 =	\$
INDEP.	*	MINUS	***	=	x \$84 =	\$
<b>FIRST PRESENTATION OF MULTIPLE DEP. CLAIM</b>					+ \$280 =	\$
					<b>TOTAL</b>	<b>\$</b>

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
  - \*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.
  - \*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

3.  The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$ for a month extension of time.
4. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
  - a.  Any patent application processing fees under 37 CFR §1.16.
  - b.  Any patent application processing fees under 37 CFR §1.17.
5. The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

Laura L. Frieke  
 Laura L. Frieke  
 Agent for Applicants  
 Registration No. 52,920  
 Tel. No. (513) 626-2721

August 20, 2003

Customer No. 27752

Appl No. 09/646,984  
Amdt. Dated August 20, 2003  
Reply to Office Action of May 20, 2003  
Customer No. 27752

Case 7070

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :  
Donn Nelson Rubingh et al. :  
Serial No. 09/646,984 :  
Confirmation No. 3865 : Group Art Unit 1652  
Filed September 25, 2000 : Examiner W.W. Moore  
For SERINE PROTEASE VARIANTS HAVING AMINO ACID DELETIONS AND  
SUBSTITUTIONS

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RESPONSE TO NON-FINAL REJECTION

Assistant Commissioner of Patents

Washington, DC 20231

Dear Examiner:

In response to the May 20, 2003 Office Action in the above-entitled application, please amend the application as follows and consider the following remarks. The Office Action provided for a timely response up to and including August 20, 2003.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Response to Office Action begin on page 5 of this paper.